

CITY COUNCIL OF THE CITY OF ANNAPOLIS

CHARTER AMENDMENT NO. CAB 02

Introduced by

A RESOLUTION concerning

MID-TERM VACANCIES IN ELECTED OFFICES

FOR the purpose of amending the Charter of the City of Annapolis to require that special elections for the filling of mid-term office vacancies, be conducted when a vacancy occurs within 12 months, instead of within 15 months, of a regularly scheduled election.

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BY repealing and re-enacting, with amendments
Article II. Election of Mayor and Aldermen
Section 7. Vacancies, at (a) and (b)
Charter of the City of Annapolis

SECTION I: BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Charter of the City of Annapolis shall read as follows:

ARTICLE II. ELECTION OF MAYOR AND ALDERMEN

Sec. 7. Vacancies.

(a) The following procedure for the filling of vacancies shall apply whenever a vacancy shall occur with less than ~~fifteen~~ **twelve (12)** months remaining until the next general election at which members of the city council shall be elected.

(1) In case of the death, resignation, refusal to serve, disqualification of the mayor or of any alderman, or removal out of the city by the mayor, or out of the ward, by any alderman, the mayor or acting mayor shall give written notice of the vacancy, within five (5) business days, to the chairman of the city central committee of the political party to which the person vacating was registered with the board of supervisors of elections at the time of election.

(2) Not more than five (5) business days after being notified by the mayor or acting mayor, the central committee shall announce the time and place of a public hearing to be held for the purpose of selecting candidates to fill the vacancy. Such announcement shall consist of, but not be limited to, a prominent notice in a local daily newspaper. The hearing shall be

held not less than ten (10) business days, nor more than fifteen (15) business days, from the date the announcement first appears in the newspaper.

(3) Not less than five (5) business days before the hearing date, the central committee shall announce the qualified candidates of its political affiliation to be considered at the hearing. If any otherwise qualified person is not selected by the central committee, that person shall be considered at the hearing upon presentation of a petition, in the case of a vacancy in the office of alderman, signed by at least fifty (50) registered voters of the appropriate political party who live in the affected ward. If the vacancy is in the office of mayor, the petition shall bear the signatures of at least two hundred fifty (250) registered voters of the appropriate political party, with not less than thirty (30) signatures being those of registered voters from each of the city's wards.

(4) At the hearing, each qualified candidate shall have an opportunity to address the central committee. After all candidates have been heard, the central committee shall select one (1) candidate and the chairman of the committee shall notify the mayor or acting mayor, in writing, of the choice, not more than three (3) business days after the hearing.

(5) At the next regularly scheduled meeting of the city council, or at a special session convened before then by the mayor or acting mayor for the purpose of filling the vacancy, the selected candidate shall be sworn in and seated immediately.

(6) If the person vacating office was not registered in a political party at the time of election, the city council shall follow as closely as possible the candidate selection and election procedure above prescribed for a central committee to follow, but without regard to the political affiliation of any candidate.

(b) The following procedure for the filling of vacancies shall apply whenever a vacancy shall occur with ~~fifteen~~ **twelve (12)** months or more remaining until the next general election at which members of the city council shall be elected.

SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the date of adoption of this Resolution is _____ and the amendment of the Charter of the City of Annapolis, hereby enacted shall become effective on _____, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the City Hall until _____, and provided further that a copy of the title of this Resolution shall be published in "The Capital," a newspaper of general circulation in the City of Annapolis, or in any other newspaper of such general circulation, once in each of the weeks on _____, _____, _____, and _____.

SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Mayor is hereby specifically commanded to carry out the provisions of Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained

appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, shall declare the Charter change hereby enacted to be effective on _____, by affixing his signature hereto in the space provided on the effective date of change.

SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Mayor shall send to the Department of Legislative Reference of Maryland a copy of this Resolution showing the number of Aldermen voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a _____ meeting of the Annapolis City Council on, the _____ Aldermen voting in the affirmative, _____ Aldermen voting in the negative, _____ Aldermen abstaining and _____ Aldermen absent and the said Resolution becomes effective in accordance with law on the _____ day of _____.

ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY: _____
Ellen Moyer, MAYOR

Deborah Heinbuch, CMC/AEE
City Clerk

EFFECTIVE DATE: _____

EXPLANATION:

Redlining indicates matter added to existing law.
Strike Out indicates matter deleted from existing law.
Underlining and redlining indicate amendments.